

To: Enck, Judith[Enck.Judith@epa.gov]
From: Shore, Berry
Sent: Mon 2/1/2016 8:05:30 PM
Subject: FW: Albany Times Editorial

Judith:

I though you would be zinging down a zipline through the rain forest by now.

Don't be afraid to use DEET. I hate the stuff but the alternatives are not so great.

I sent the following to Gillibrand and Schumer's (separate e-mail) staff this morning .

From: Shore, Berry
Sent: Monday, February 01, 2016 8:28 AM
To: 'david_connors@gillibrand.senate.gov' <david_connors@gillibrand.senate.gov>
Cc: 'janneke_house@gillibrand.senate.gov' <janneke_house@gillibrand.senate.gov>;
'jordan_baugh@gillibrand.senate.gov' <jordan_baugh@gillibrand.senate.gov>
Subject: Albany Times Editorial

Dave:

Just want to make sure you saw this.

Make sure you see the Albany Times characterization of the State's Superfund process.

FYI: As discussed last week EPA staff and our contractors will be up in the Village of Hoosick Falls in the next several weeks conducting environmental sampling.

GOVERNMENTS HAVE FAILED HOOSICK FALLS

01/30/2016

Albany Times Union

<http://www.timesunion.com/tuplus-local/article/LeBrun-Local-state-governments-failed-Hoosick-6795816.php>

Local and state government failed miserably the village of Hoosick Falls in one of government's primary responsibilities, protecting the public health.

Yes, failed, utterly.

No matter how responsive the state now seems to be in dealing with the high anxieties of local residents legitimately worried sick about chemically contaminated well water, the bitter lesson here is it took years and years and unexpected external forces to make that happen.

Without them, the cries for help, for clarity as to consequences, would have continued to go unheeded. How many individuals over decades have suffered compromised health and worse because of this inaction? I doubt if we'll ever know for sure, but with all the lawyers, the epidemiologists, the investigators that have now been aroused, we are likely to get a pretty good idea of the scale and scope of damages, and I strongly suspect it will be breathtaking.

As the folks up in Hoosick Falls are perfectly well aware, the initial response -- for years -- from the state Health Department was to essentially dismiss the toxic chemistry as a drinking water problem. The department declared and implied in a number of ways that detected concentrations of perfluorooctanoic acid (PFOA) used in creating high performance plastics by the local Saint-Gobain manufacturing facilities were safe in the community water supply and private wells.

Even though for years the local physician, Dr. Marcus Martinez and his father before him, were struck by how many rare and aggressive cancers, thyroid ailments and other unusual maladies he encountered in a relatively tiny patient base. This phenomenon, apparently, didn't trigger any sort of alarm for our friends at the state Health Department, but it certainly did for Dr. Martinez, who not surprisingly, is also the school physician and so must have a pretty good grasp of the situation.

Then again, at first Gov. Andrew Cuomo, in that nasty, arrogant way of his, echoed the state Health Department's passive defense of the polluter, blaming instead those suffering the consequences. He scolded the residents for panicking, for being excessively anxious, stating flat out concerns were simply out of line with reality. That view was also the village government's, inclined to support the local primary employer. Not their finest hour, either.

The net effect, before intervening factors showed how patronizing and pathetic this response was, came down to this:

Hoosick Falls, stop whining and drink your poison.

Then came the federal Environmental Protection Agency on a white horse, about the time the horrors of lead in the drinking water of Flint, Mich., and state government's role in that calamity went viral.

You can be reasonably confident your governor's about face and sudden embrace of state Superfund status for the afflicted parts of Hoosick Falls came from the sudden realization he was risking becoming another Michigan Gov. Rick Snyder, whose political career has been beheaded by Flint.

EPA Region 2 Administrator Judith Enck set a proper standard for how government should behave when citizens look to government for relief. She listened. She confirmed there was a problem. Cuomo and his administration were embarrassed into behaving along similar lines. There were other factors that saved the day, including media exposure, notably, I am proud to state, this newspaper. Important too was a local citizens group fed up with state inaction, Hoosick Water. U.S. Sen. Charles E. Schumer also intervened, a potent force when he wants to be.

But it's the EPA and Judith Enck who stepped up. They also hold the keys to real solutions. The state's designation of a Superfund site, touted as a big deal by the state, along with \$4 will get you a cup of coffee. The state has not got the resources to do the deep pocket studies and investigations, the testing of blood of everyone in town and beyond, the tracking down of the 80 or so of the 100 graduates of Hoosick Falls High School who migrate every year, the carbon filters on all the wells and anything else that might be deemed appropriate. The feds do.

We are encouraged, hopeful, the EPA will designate the Saint-Gobain facilities and surroundings a federal Superfund site. That's critical.

Illegal dumps will continue to pop up all over the place. There is a lot of historical epidemiological work to do to begin quantifying damages. This chemistry, which is well documented as bad ass, was created by the 3M Company decades ago, and similar manufacturing facilities in Hoosick Falls used it long before Saint-Gobain was on the scene. This might prove a problem in identifying the specific source when litigation starts flying. There are more than 200 congeners, or variants, of PCBs, each leaving a signature as definitive as a fingerprint, which made the identification with General Electric and their pollutants inarguable. I wonder if that will be as easy with PFOA.

But back to how this state government failed.

It comes down mostly to the state Health Department not aggressively doing its job, and only now trying to appear to play catch-up. We've come a long way downhill from the independent and robust public health oversight of the Dr. David Axelrod era. Now, the state Health Department seems to be no more than a limp appendage attached to whatever politician is running the show.

What the state Health Department did not do for years in Hoosick Falls borders on scandal. Far be it from me to suggest how state government should behave, but it strikes me legislative hearings ought to be called to hold them accountable. I want to hear from Dr. Martinez, for example. So should we all. And the DEC, too. They work hand in glove with the state Health Department, guided, it seems, by the same political agenda.

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PULLOUT:

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